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TITLE 511 INDIANA STATE BOARD OF EDUCATION

Proposed Rule LSA Document #01-163

DIGEST

Adds 511 IAC 6.2-6 to establish criteria and procedures for assessing school improvement, establishing categories or designations of school improvement, and placing schools in categories or designations of school improvement as required by IC 20-10.2-5. Effective 30 days after filing with the secretary of state.

511 IAC 6.2-6

SECTION 1. 511 IAC 6.2, AS ADDED AT 24 IR 3647, SECTION 1, IS AMENDED BY ADDING A NEW RULE TO READ AS FOLLOWS:

Rule 6. Assessing School Improvement and Performance

511 IAC 6.2-6-1 Primary indicators of improvement and performance; required administration of mandatory annual assessments

Authority: IC 20-10.2-7-1

Affected: IC 20-1-20.5-3; IC 20-1-1-6; IC 20-5-5; IC 20-5-62-6; IC 20-10.1-16; IC 20-10.1-17; IC 20-10.2-5

Sec. 1. (a) The primary indicators of school improvement and performance, as recommended by the education roundtable created by IC 20-1-20.5-3 and approved by the board, are the following:

- (1) ISTEP English/language arts and mathematics tests at grades 3, 6, 8, and 10.**
- (2) English/language arts and mathematics tests at grades 4, 5, 7, and 9.**
- (3) ISTEP science tests and social studies tests, when implemented, at grades 5, 7, and 9.**
- (4) Science and social studies tests at grades 4, 6, and 8.**

(b) The tests in subsection (a) collectively are referred to as mandatory annual assessments.

(c) Mandatory annual assessments shall be administered by the following schools:

- (1) Public schools.**
- (2) Accredited nonpublic schools.**
- (3) Freeway schools under IC 20-5-62 unless a freeway school contract provides for a locally adopted assessment as permitted by IC 20-5-62-6(7).**
- (4) Charter schools under IC 20-5.5.**

(d) If the board determines that adequate resources are not available to support administration of all mandatory annual assessments, the schools in subsection (c) are required to administer only the following:

- (1) ISTEP English/language arts and mathematics tests at grades 3, 6, 8, and 10.**
- (2) ISTEP science tests and social studies tests, when implemented, at grades 5, 7, and 9.**

(Indiana State Board of Education; 511 IAC 6.2-6-1)

511 IAC 6.2-6-2 Requirements for mandatory annual assessments; state provided tests; approval of locally adopted tests at certain grade levels

Authority: IC 20-10.2-7-1

Affected: IC 20-1-1-6; IC 20-10.1-16-5; IC 20-10.1-17; IC 20-10.2-5

Sec. 2. (a) The mandatory annual assessments in section 1 of this rule must meet all of the following criteria:

- (1) Be aligned with the Indiana academic standards.**
- (2) Test basic skills and applied skills as required by IC 20-10.1-16-5(b).**
- (3) Be graded on a common vertical scale.**
- (4) Meet security requirements listed in the ISTEP program manual.**
- (5) Provide, as appropriate, a method of testing and grading that will allow comparison with national and international academic standards, as required by IC 20-10.1-16-5(b)(3).**

(b) The board and department shall develop and provide mandatory annual assessments.

(c) The schools in section 1(c) of this rule shall administer the following without substitution:

- (1) ISTEP English/language arts and mathematics tests at grades 3, 6, 8, and 10.**
- (2) ISTEP science tests and social studies tests, when implemented, at grades 5, 7, and 9.**

(d) The schools in section 1(c) of this rule may, with the approval of the board, substitute locally adopted tests for the following:

- (1) English/language arts and mathematics tests at grades 4, 5, 7, and 9.**
- (2) Science and social studies tests at grades 4, 6, and 8.**

(e) The board may approve a locally adopted test only if the test:

- (1) meets the criteria in subsection (a)(1);**
- (2) has been reviewed for alignment with Indiana academic standards and recommended for approval, as being in alignment with the standards, by an entity experienced in determining alignment of tests with academic standards; and**
- (3) has been reviewed for alignment with psychometric properties of ISTEP and recommended for approval, as being in alignment with those psychometric properties, by an independent panel of individuals appointed by the department and experienced in examining psychometric properties of tests.**

(f) Information to substantiate that the test meets the requirements of subsection (e) may be provided by the school or by the publisher of the test. (*Indiana State Board of Education; 511 IAC 6.2-6-2*)

511 IAC 6.2-6-3 School improvement and performance categories; placement of school in categories; measures used; nonmobile cohort group of students

Authority: IC 20-10.2-7-1

Affected: IC 20-1-1-6; IC 20-10.2-5

Sec. 3. (a) Beginning in the 2003-2004 school year, the board annually shall place a school in a school improvement category and a school performance category based on results of mandatory annual assessments. English/language arts and mathematics test results will be used initially. Science and social studies test results will be added when those tests are implemented.

(b) School improvement category placement is based on increases in achievement of a nonmobile cohort group of students as they progress through school. Increases in achievement will be measured by:

- (1) the percent of students who pass mandatory annual assessments in English/language arts and mathematics;**
- or**
- (2) scale scores for mandatory annual assessments;**

with category placement based on the greater of the increases if a school demonstrates an increase in both areas.

(c) The nonmobile cohort group of students referred to in subsection (a) includes students enrolled in the school for at least eighty percent (80%) of the school year preceding testing.

(d) School performance category placement is based on the percentage of all students who pass mandatory annual assessments both in English/language arts and mathematics. Science and social studies test results will

be added when those tests are implemented. (*Indiana State Board of Education; 511 IAC 6.2-6-3*)

511 IAC 6.2-6-4 Categories of school improvement and performance

Authority: IC 20-10.2-7-1

Affected: IC 20-1-1-6; IC 20-10.2-5

Sec. 4. (a) The following categories of school improvement are established:

Category	Criteria for Placement
1	Improvement of 7% or more
2	Improvement of at least 5% but less than 7%
3	Improvement of at least 3% but less than 5%
4	Improvement of less than 3%
5	No improvement

(b) The following categories of school performance are established:

Category	Criteria for Placement
1	90% or more passing
2	80–89.9% passing
3	70–79.9% passing
4	60–69.9% passing
5	fewer than 60% passing

(*Indiana State Board of Education; 511 IAC 6.2-6-4*)

511 IAC 6.2-6-5 Additional requirements for category placement

Authority: IC 20-10.2-7-1

Affected: IC 20-1-1-6; IC 20-10.2-5

Sec. 5. (a) Notwithstanding the provisions of sections 3 and 4 of this rule, the following provisions apply to category placement:

- (1) A school in performance category 1 is not placed in an improvement category.
- (2) A school may be placed in category 1 or category 2 under section 4 of this rule only if the school participates in the comprehensive assessment system described in section 9 of this rule.
- (3) A high school may be placed in category 1 or category 2 under section 4 of this rule only if the high school meets all of the following:
 - (A) Shows improvement in advanced placement test results as measured by the number of test results at the 3, 4, and 5 levels expressed as a percentage of the number of seniors.
 - (B) Shows improvement in the percentage of graduates who complete the Core 40 curriculum and earn the Academic Honors Diploma.
 - (C) Shows improvement in the number of passing scores on Core 40 end of course tests expressed as a percentage of the number of students.
 - (D) Meets a minimum graduation rate established by the board.
- (4) A school may be placed in category 1 through category 4 under section 4 of this rule only if the percentage of school's students participating in mandatory annual assessments meets a minimum rate established by the board.
- (5) A school that, for three (3) consecutive years, remains in:
 - (A) improvement category 4; and
 - (B) performance category 4 or performance category 5;shall be placed in improvement category 5.

(b) After data become available, it is the intent of the board to establish minimum expectations for each of the factors in subsection (a)(3) for each category in section 4 of this rule. (*Indiana State Board of Education; 511 IAC*

6.2-6-5)

511 IAC 6.2-6-6 Support to schools

Authority: IC 20-10.2-7-1

Affected: IC 20-1-1-6; IC 20-10.2-5; IC 20-10.2-6

Sec. 6. The board and department will provide attention and support to schools as follows:

(1) All schools may request technical assistance, with a preference given to the following:

(A) Schools with the lowest percentage of students demonstrating reading proficiency on the early assessments in kindergarten through grade 2.

(B) Schools in school performance category 5.

(2) Schools in school improvement category 5 will receive assistance as permitted and required by IC 20-10.2-6.

(Indiana State Board of Education; 511 IAC 6.2-6-6)

511 IAC 6.2-6-7 Disaggregated data and category placement

Authority: IC 20-10.2-7-1

Affected: IC 20-1-1-6; IC 20-10.2-5

Sec. 7. After disaggregated data become available, it is the intent of the board to base category placement on improvement and performance of defined groups of students. *(Indiana State Board of Education; 511 IAC 6.2-6-7)*

511 IAC 6.2-6-8 Study of effects of mobility

Authority: IC 20-10.2-7-1

Affected: IC 20-1-1-6; IC 20-10.2-5

Sec. 8. After data on the effects of interdistrict and intradistrict student mobility become available, it is the intent of the board to review and, if necessary, adjust the definition of nonmobile students in section 3(c) of this rule. *(Indiana State Board of Education; 511 IAC 6.2-6-8)*

511 IAC 6.2-6-9 Comprehensive assessment system; incentives for participation

Authority: IC 20-10.2-7-1

Affected: IC 20-1-1-6; IC 20-10.1-16-15; IC 20-10.1-17; IC 20-10.2-4

Sec. 9. (a) The comprehensive assessment system includes the following:

(1) Mandatory annual assessments as described in section 1 of this rule.

(2) Core 40 end of course tests established pursuant to IC 20-10.1-16-15(b).

(3) Early assessments in kindergarten through grade 2, established pursuant to IC 20-10.1-16-15(c).

(b) The board and department will develop and make available to schools the assessments and tests described in subsection (a)(2) and (a)(3).

(c) Schools that participate in the comprehensive assessment system:

(1) are eligible for educational achievement grants, including awards under IC 20-10.2-4 and P.L.291-2001, SECTION 4; and

(2) will receive a proportionally greater share of remediation funds, including grants under IC 20-10.1-17 and P.L.291-2001, SECTION 4.

(Indiana State Board of Education; 511 IAC 6.2-6-9)

511 IAC 6.2-6-10 Secondary indicators of improvement and performance

Authority: IC 20-10.2-7-1

Affected: IC 20-1-1-6; IC 20-10.2-5

Sec. 10. The benchmarks and indicators of performance in a school's annual performance report may be used:

(1) as secondary indicators affecting category placement under section 4 of this rule if data from mandatory annual assessments do not provide an accurate picture of school improvement and performance because of

**factors such as errors in the data or significant demographic changes in the student population;
(2) for public reporting; and
(3) to determine assistance provided to schools.**

(Indiana State Board of Education; 511 IAC 6.2-6-10)

Notice of Public Hearing

*Under IC 4-22-2-24, notice is hereby given that on September 5, 2001 at 6:00 p.m., at the Department of Education, 151 West Ohio Street, James Whitcomb Riley Conference Room, Indianapolis; **AND** on September 6, 2001, at 9:00 a.m., at the Department of Education, 151 West Ohio Street, James Whitcomb Riley Conference Room, Indianapolis, Indiana the Indiana State Board of Education will hold a public hearing on proposed new rules to establish criteria and procedures for assessing school improvement, establishing categories or designations of school improvement, and placing schools in categories or designations of school improvement as required by IC 20-10.2-5. Copies of these rules are now on file at 229 State House and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Suellen Reed
Superintendent of Public Instruction
Indiana State Board of Education